

United States District Court

FILED

NORTHERN

DISTRICT OF

OKLAHOMA

OCT 31 1990

UNITED STATES OF AMERICA

V.

Joel Cortez Villasenor
3209 W. Cyprus
Phoenix, Arizona

Jack C. Silver, Clerk
U.S. DISTRICT COURT
JUDGMENT IN A CRIMINAL CASE

Case Number: 80-CR-039-001-E

(Name and Address of Defendant)

Steve Greubel

Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

☒ guilty ☐ nolo contendere] as to count(x) One of the Indictment, and
☐ not guilty as to count(s) _____

THERE WAS A:

☒ finding ☐ verdict] of guilty as to count(x) One of the Indictment

THERE WAS A:

☐ finding ☐ verdict] of not guilty as to count(s) _____
☐ judgment of acquittal as to count(s) _____

The defendant is acquitted and discharged as to this/these count(s).

THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF:

Title 8, United States Code, Section 1324(a)(2); Transporting Illegal Aliens

IT IS THE JUDGMENT OF THIS COURT THAT: The defendant be sentenced to the custody of the Attorney General for a period of two (2) years.

United States District Court)
Northern District of Oklahoma) 33
I hereby certify that this document
is a true copy of the original filed
in this Court.

Jack C. Silver, Clerk

By

[Signature]
Deputy

In addition to any conditions of probation imposed above, IT IS ORDERED that the conditions of probation set out on the reverse of this judgment are imposed.

CONDITIONS OF PROBATION

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- (2) associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- (4) not leave the judicial district without permission of the probation officer;
- (5) notify your probation officer immediately of any changes in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

The court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ N/A pursuant to Title 18, U.S.C. Section 3013 for count(s) _____ as follows:

IT IS FURTHER ORDERED THAT counts Two, Three, and Four of the Indictment are DISMISSED on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall pay to the United States attorney for this district any amount imposed as a fine, restitution or special assessment. The defendant shall pay to the clerk of the court any amount imposed as a cost of prosecution. Until all fines, restitution, special assessments and costs are fully paid, the defendant shall immediately notify the United States attorney for this district of any change in name and address.

IT IS FURTHER ORDERED that the clerk of the court deliver a certified copy of this judgment to the United States marshal of this district.

☒ The Court orders commitment to the custody of the Attorney General and recommends: The defendant receive credit for the time spent in the Tulsa County Jail following his recent arrest in Phoenix, Arizona.

October 29, 1990

Date of Imposition of Sentence

James O. Ellison
Signature of Judicial Officer

James O. Ellison, U.S. District Judge
Name and Title of Judicial Officer

Date

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____
Date

_____, the institution designated by the Attorney General, with a certified copy of this Judgment in a Criminal Case.

United States Marshal

By _____
Deputy Marshal

FILED**United States District Court** OCT 31 1990

NORTHERN

DISTRICT OF OKLAHOMA

Jack C. Silver, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASEJoel Cortez Villasenor
3209 W. Cyprus
Phoenix, Arizona

Case Number: 82-CR-131-001-E

(Name and Address of Defendant)

Steve Greubel

Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

☒ guilty ☐ nolo contendere] as to count(x) One of a One-Count Indictment, and
☐ not guilty as to count(s) _____.

THERE WAS A:

☒ finding ☐ verdict] of guilty as to count(x) One of the Indictment.

THERE WAS A:

☐ finding ☐ verdict] of not guilty as to count(s) _____
☐ judgment of acquittal as to count(s) _____.

The defendant is acquitted and discharged as to this/these count(s).

THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF:

Title 18, United States Code, Section 3150; Failure to Appear

IT IS THE JUDGMENT OF THIS COURT THAT: The imposition of sentence is suspended and the defendant is placed on probation for a period of two (2) years, which is to commence upon expiration of sentence imposed in Case No. 80-CR-039-001-E.

United States District Court)
 Northern District of Oklahoma) ss
 I, Jack C. Silver, Clerk of Court,
 do hereby certify that the foregoing
 is a true and correct copy of the
 original filed in this Court.

Jack C. Silver, Clerk

By BM

In addition to any conditions of probation imposed above, IT IS ORDERED that the conditions of probation set out on the reverse of this judgment are imposed.

CONDITIONS OF PROBATION

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- (2) associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- (4) not leave the judicial district without permission of the probation officer;
- (5) notify your probation officer immediately of any changes in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

The court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ N/A pursuant to Title 18, U.S.C. Section 3013 for count(s) _____ as follows: _____

IT IS FURTHER ORDERED THAT counts _____ are DISMISSED on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall pay to the United States attorney for this district any amount imposed as a fine, restitution or special assessment. The defendant shall pay to the clerk of the court any amount imposed as a cost of prosecution. Until all fines, restitution, special assessments and costs are fully paid, the defendant shall immediately notify the United States attorney for this district of any change in name and address.

IT IS FURTHER ORDERED that the clerk of the court deliver a certified copy of this judgment to the United States marshal of this district.

☐ The Court orders commitment to the custody of the Attorney General and recommends:

October 29, 1990

Date of Imposition of Sentence

Signature of Judicial Officer

James O. Ellison, U.S. District Judge

Name and Title of Judicial Officer

Date

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____ Date

_____, the institution designated by the Attorney General, with a certified copy of this Judgment in a Criminal Case.

United States Marshal

By

Deputy Marshal

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

HAROLD EDWARD MARTIN,

Defendant.

No. 90-CR-74-06-C

F I L E D

OCT 31 1990

ORDER

Jack C. Silver, Clerk
U.S. DISTRICT COURT

Based upon the government's motion, and to best meet
the ends of justice, the above-styled matter is dismissed as to
defendant Harold Edward Martin.

DATED this 30 day of October 1990.

(Signed) H. Dale Cook

H. DALE COOK
Chief United States District Judge

United States District Court

NORTHERN

District of OKLAHOMA

UNITED STATES OF AMERICA

V.

Stephanie Carol Keith

(Name of Defendant)

JUDGMENT IN A CRIMINAL CASE (For Offenses Committed On or After November 1, 1987)

Case Number: 90-CR-100-001-C

FILED

Richard Couch

Defendant's Attorney

OCT 31 1990

THE DEFENDANT:

- ☒ pleaded guilty to count(s) Count One of the Information
☐ was found guilty on count(s) _____
 plea of not guilty.

Jack C. Silver, Clerk
 U.S. DISTRICT COURT
 after a

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:USC:1029(b)(2)	Conspiracy to Use Unauthorized Access Devices (Credit Card Fraud)	Oct., 1989	Ct. One

United States District Court)
 Northern District of Oklahoma) SS
 I hereby certify that the foregoing
 is a true and correct copy of the original on file
 in this Court.

Jack C. Silver, Clerk

By R. Miller
 Deputy

The defendant is sentenced as provided in pages 2 through 4 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984..

- ☐ The defendant has been found not guilty on count(s) _____, and is discharged as to such count(s).
☐ Count(s) _____ (is)(are) dismissed on the motion of the United States.
☒ It is ordered that the defendant shall pay a special assessment of \$ 50.00, for count(s) One of the Information, which shall be due ☒ immediately ☐ as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 241-04-2582Defendant's Date of Birth: 02-11-56

Defendant's Mailing Address:

800 Quacco Rd., Lot #224Savannah, Georgia 31419

Defendant's Residence Address:

SameOctober 23, 1990

Date of Imposition of Sentence

H. Dale Cook
 Signature of Judicial Officer

H. Dale Cook, Chief U.S. District Judge

Name & Title of Judicial Officer

Date

Defendant: KEITH, Stephanie
Case Number: 90-CR-100-001-C

Judgment—Page 2 of 4**PROBATION**

The defendant is hereby placed on probation for a term of 60 months.

While on probation, the defendant shall not commit another Federal, state, or local crime, shall not illegally possess a controlled substance, and shall not possess a firearm or destructive device. The defendant also shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant pay any such fine or restitution. The defendant shall comply with the following additional conditions:

You shall participate in substance abuse treatment and counseling.

Jurisdiction is to remain in the Northern District of Oklahoma unless approved by the Court.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) You shall submit to urinalysis as directed by the U.S. Probation Officer.
- 15) You shall not possess a firearm or other dangerous weapon without the permission of the U.S. Probation Officer.

Defendant: KEITH, Stephanie
Case Number: 90-CR-100-001-C

Judgment—Page 3 of 4

RESTITUTION AND FORFEITURE

RESTITUTION

☒ The defendant shall make restitution to the following persons in the following amounts:

Name of Payee

Amount of Restitution

(Please see attachment)

Payments of restitution are to be made to:

- ☐ the United States Attorney for transfer to the payee(s).
- ☐ the payee(s).

Restitution shall be paid:

- ☐ in full immediately.
- ☐ in full not later than _____.
- ☐ in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
- ☒ in installments according to the following schedule of payments:

To be paid as directed by the U.S. Probation Officer.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

FORFEITURE

☐ The defendant is ordered to forfeit the following property to the United States:

As a result of the defendant's involvement in the instant offense, a total loss of \$17,632.16 was experienced by the victims as follows:

- a. First Bank Card Center (VISA) - \$5,753.03
P. O. Box 3437
Omaha, Nebraska
(Acct. No. 4418023726238157)
- b. First Bank Card Center (Master Card) \$6,633.17
P. O. Box 3437
Omaha, Nebraska 68107
(Acct. No. 5411170646085186)
- c. Sears \$1,022.11
P. O. Box 29600
New Orleans, LA 70189
(Acct. No. 780538887743)
- d. J.C. Penny's \$2,370.38
P. O. Box 31
Shawnee Mission, KS 66201
(Acct. No. 56300298653)
- e. Phillips 66 Co. \$ 110.72
P. O. Box 80
Bartlesville, OK 74005
(Acct. No. 6218377502)
- f. Banc-First of Muskogee \$1,370.60
P. O. Box 1489
Muskogee, OK 74401
(Acct. No. 0303580765)
- g. William D. Hamilton \$ 372.15
2201 Elmira
Muskogee, OK
Loss claimed by
credit card
owner not
absorbed by
credit card
companies.

Defendant: KEITH, Stephanie C.
Case Number: 90-CR-100-001-C

Judgment—Page 4 of 4**STATEMENT OF REASONS**

☐ The court adopts the factual findings and guideline application in the presentence report.

OR

☐ The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:Total Offense Level: 11Criminal History Category: IImprisonment Range: 8 to 14 monthsSupervised Release Range: 2 to 3 yearsFine Range: \$ 2,025 to \$ 35,264

☒ Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ 17,632.16

☐ Full restitution is not ordered for the following reason(s):

☐ The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

☐ The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

☐ upon motion of the government, as a result of defendant's substantial assistance.

☒ for the following reason(s): The defendant's substantial assistance and the Government indicating they have no objection to a sentence of probation based on her cooperation.

FILED

United States District Court **OCT 31 1990**

Northern District of Oklahoma

Jack C. Silver, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Douglas R. Garrett

Case Number: 90-CR-82-E

(Name of Defendant)

Stephen Gruebel

Defendant's Attorney

THE DEFENDANT:

☒ pleaded guilty to count(s) One of the Indictment after a
☐ was found guilty on count(s) _____
 plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
Title 18, U.S.C., Section 1344	Bank Fraud	October 19, 1988	I

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).
☒ Count(s) Two and Three ~~(is)~~ (are) dismissed on the motion of the United States.
☒ It is ordered that the defendant shall pay a special assessment of \$ 50 for count(s) One, which shall be due ☒ immediately ☐ as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 447-60-5564Defendant's Date of Birth: 01-01-62

Defendant's Mailing Address:

3214 W. Pittsburg
Broken Arrow, OK 74012

Defendant's Residence Address:

3214 W. Pittsburg
Broken Arrow, OK 74012

October 29, 1990

Date of Imposition of Sentence



Signature of Judicial Officer

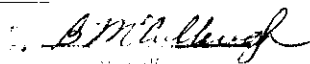
James O. Ellison, U. S. District Judge

Name & Title of Judicial Officer

10/31/90

Date

Jack C. Silver, Clerk



Defendant: GARRETT, DOUGLAS R.
Case Number: 90-CR-82-E

Judgment—Page 2 of 5**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 4 months

☐ The court makes the following recommendations to the Bureau of Prisons:

☒ The defendant is remanded to the custody of the United States marshal.

☐ The defendant shall surrender to the United States marshal for this district,

☐ at _____ a.m.
_____ p.m. on _____.

☐ as notified by the United States marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons,

☐ before 2 p.m. on _____.

☐ as notified by the United States marshal.

☐ as notified by the probation office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____ at _____

_____, with a certified copy of this judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: GARRETT, JUGLAS R.
 Case Number: 90-CR-82-E

Jgment—Page 3 of 5

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of _____
3 years

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- ☒ The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- ☐ The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- ☒ The defendant shall not possess a firearm or destructive device.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) You shall submit to urinalysis as directed by the U. S. Probation Office.
- 15) You shall not possess a firearm or other dangerous weapon without the permission of the U. S. Probation Office.

Defendant: GARRETT, DOUGLAS R.
Case Number: 90-CR-82-E

Judgment—Page 4 of 5**RESTITUTION AND FORFEITURE****RESTITUTION**

☒ The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
NCNB Texas National Bank 1401 Elm Street P. O. Box 831979 Dallas, TX 75283-1979	\$26,245

Payments of restitution are to be made to:

- ☒ the United States Attorney for transfer to the payee(s).
☐ the payee(s).

Restitution shall be paid:

- ☐ in full immediately.
☒ in full not later than the expiration of the Term of Supervised Release.
☐ in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
☐ in installments according to the following schedule of payments:

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

FORFEITURE

- ☐ The defendant is ordered to forfeit the following property to the United States:

Defendant: GARRETT, DOUGLAS R.
Case Number: 90-CR-82-E

Judgment—Page 5 of 5**STATEMENT OF REASONS**

☒ The court adopts the factual findings and guideline application in the presentence report.

OR

☐ The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:Total Offense Level: 8Criminal History Category: IImprisonment Range: 2 to 8 monthsSupervised Release Range: 2 to 3 yearsFine Range: \$ 36,000 to \$ 121,165

☒ Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ 26,245

☐ Full restitution is not ordered for the following reason(s):

☒ The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

☐ The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

☐ upon motion of the government, as a result of defendant's substantial assistance.

☐ for the following reason(s):

FILED

- United States District Court OCT 31 1990

NORTHERN

District of OKLAHOMA

Jack C. Silver, Clerk

AMENDED U.S. DISTRICT COURT

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Harold Wolfe Buchholz

Case Number: 90-CR-081-001-B

(Name of Defendant)

Richard D. Amatucci

Defendant's Attorney

THE DEFENDANT:

- ☒ pleaded guilty to count(s) One and Two of the Indictment
- ☐ was found guilty on count(s) _____ after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
Ct. I - 18:922(a)(6)	False Statement to Licensed Firearm's Dealer	11-23-89	Ct. I
Ct. II - 18:922(g)(1)	Possession of Firearm After Former Conviction of Felony	12-6-89	Ct. II

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984..

- ☐ The defendant has been found not guilty on count(s) _____, and is discharged as to such count(s).
- ☐ Count(s) _____ (is)(are) dismissed on the motion of the United States.
- ☒ It is ordered that the defendant shall pay a special assessment of \$ 100, for count(s) One and Two, which shall be due ☒ immediately ☐ as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 492-28-0007Defendant's Date of Birth: 12-20-27

Defendant's Mailing Address:

217 South ReganHominy, Oklahoma 74035

Defendant's Residence Address:

Same as mailing

October 25, 1990

Date of Imposition of Sentence

Thomas R. Brett
Signature of Judicial Officer
The Honorable Thomas R. Brett
U.S. District Judge

Name & Title of Judicial Officer

October 29, 1990

Date

Defendant: Harold Wolfe Buchholz
Case Number: 90-CR-081-001-B

Judgment—Page 2 of 5**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 10 Months

Count I - 10 months

Count II- 10 months to run concurrently with Count One.

☐ The court makes the following recommendations to the Bureau of Prisons:

- ☐ The defendant is remanded to the custody of the United States marshal.
☐ The defendant shall surrender to the United States marshal for this district,

☐ at _____ a.m.
☐ at _____ p.m. on _____
☐ as notified by the United States marshal.

- ☒ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons,
☒ before 2 p.m. on 11-13-90
☒ as notified by the United States marshal.
☐ as notified by the probation office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____ at _____

_____, with a certified copy of this judgment.

United States MarshalBy _____
Deputy Marshal

Defendant: Harold Wolfe B. Holz
 Case Number: 90-CR-081-001-B

Judgment—Page 3 of 5

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of _____
 Three (3) Years to follow imprisonment.

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- ☒ The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- ☐ The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- ☒ The defendant shall not possess a firearm or destructive device.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informant or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) You shall submit to urinalysis as directed by the U.S. Probation Office.

Defendant: Harold Wolfe Buchholz
Case Number: 90-CR-081-001-B

Judgment—Page 4 of 5**FINE**

The defendant shall pay a fine of \$ 3,479.76. The fine includes any costs of incarceration and/or supervision. (\$96.66 per month for cost of supervision)

☒ This amount is the total of the fines imposed on individual counts, as follows:

Ct. I - \$3,479.76, to be paid at the rate of \$96.66 per month.

☐ The court has determined that the defendant does not have the ability to pay interest. It is ordered that:

- ☐ The interest requirement is waived.
- ☐ The interest requirement is modified as follows:

This fine plus any interest required shall be paid:

- ☐ in full immediately.
- ☐ in full not later than _____.
- ☐ in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
- ☒ in installments according to the following schedule of payments:

At a rate of \$96.66 per month for the duration of the period of Supervised Release.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: Harold Wolfe Buchholz
Case Number: 90-CR-081-001-B

Judgment—Page 5 of 5

STATEMENT OF REASONS

☐ The court adopts the factual findings and guideline application in the presentence report.

OR

☒ The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

The defendant is given the two (2) point reduction for Acceptance of Responsibility.

Guideline Range Determined by the Court:

Total Offense Level: 12

Criminal History Category: I

Imprisonment Range: 10 to 16 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 3,000 to \$ 30,000

☐ Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$

☐ Full restitution is not ordered for the following reason(s):

☒ The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

☐ The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

☐ upon motion of the government, as a result of defendant's substantial assistance.

☐ for the following reason(s):

OCT 29 1990

United States District Court

NORTHERN

District of OKLAHOMA

Jack C. Silver, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

JOSEPH MARVIN WHITEHEAD

Case Number: 89- CR-61-001-B

(Name of Defendant)

DAVID BOOTH

Defendant's Attorney

THE DEFENDANT:

- ☒ pleaded guilty to count(s) One and Three of the Indictment
- ☐ was found guilty on count(s) _____ after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
42 USC 408(g)(2)	Use of False Social Security Number	11-21-88	1
18 USC 1028(a)(3)	Possession of Five or More Identification Documents	2-13-89	3

The defendant is sentenced as provided in pages 2 through 3 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984..

- ☐ The defendant has been found not guilty on count(s) _____, and is discharged as to such count(s).
- ☒ Count(s) Two (is)(are) dismissed on the motion of the United States.
- ☒ It is ordered that the defendant shall pay a special assessment of \$ 100, for count(s) One and Three, which shall be due ☒ immediately ☐ as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 447-48-2306Defendant's Date of Birth: 6-16-48

Defendant's Mailing Address:

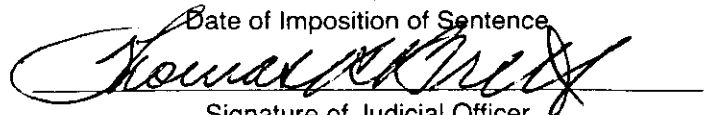
Connor Correctional CenterHominy, Oklahoma

Defendant's Residence Address:

Same

October 24, 1990

Date of Imposition of Sentence



Signature of Judicial Officer

The Honorable Thomas R. Brett

U.S. District Judge

Name & Title of Judicial Officer

October 25, 1990

Date

Defendant: Whitehead, Joseph Marvin
Case Number: 89-CR-061-B

Judgment—Page 2 of 3

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of Forty-eight months

☐ The court makes the following recommendations to the Bureau of Prisons:

- ☒ The defendant is remanded to the custody of the United States marshal.
☐ The defendant shall surrender to the United States marshal for this district,

- ☐ at _____ a.m.
☐ p.m. on _____
☐ as notified by the United States marshal.

- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons,
☐ before 2 p.m. on _____
☐ as notified by the United States marshal.
☐ as notified by the probation office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____ at _____

_____, with a certified copy of this judgment.

United States Marshal

By _____
Deputy Marshal

Defendant:
Case Number:

STATEMENT OF REASONS

☐ The court adopts the factual findings and guideline application in the presentence report.

OR

☒ The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

the Court based the offense level on a loss amount of \$43,945.11, rather than the \$68,945.11 figure, as noted in the Resentencing Hearing Report, dated October 23, 1990.

Guideline Range Determined by the Court:

Total Offense Level: 12

Criminal History Category: VI

Imprisonment Range: 30 to 37 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 3,000 to \$ 30,000

☐ Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ N/A

☒ Full restitution is not ordered for the following reason(s):

Due to Whitehead's lengthy state sentences, the Court determined that payment of restitution was not likely.

☐ The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

☐ The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

☐ upon motion of the government, as a result of defendant's substantial assistance.

☒ for the following reason(s):

Due to Whitehead's lengthy criminal record which resulted in a criminal history score of 23, the Court determined that Category VI criminal history category did not adequately reflect the seriousness of Whitehead's criminality. Supervised Release was not ordered as the Court determined that it was inappropriate for this defendant.

United States District Court

Northern DISTRICT OF Oklahoma

FILED

OCT 29 1990

Jack C. Silver, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE

Terry Helms
6800 Cricket Canyon Road
Oklahoma City, Oklahoma 73162

Case Number: 90-CR-030-B

(Name and Address of Defendant)

David Booth

Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

☒ guilty ☐ nolo contendere] as to count(s) One of the Information, and
☐ not guilty as to count(s) _____

THERE WAS A:

☒ finding ☐ verdict] of guilty as to count(s) One of the Information

THERE WAS A:

☐ finding ☐ verdict] of not guilty as to count(s) _____
☐ judgment of acquittal as to count(s) _____

The defendant is acquitted and discharged as to this/these count(s).

THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF:

Accessory After the Fact to Wire Fraud
Title 18, United States Code, Section 3

IT IS THE JUDGMENT OF THIS COURT THAT: Imposition of sentence be suspended, and that the defendant be placed on probation for a period of five (5) years. As a condition of probation, the defendant shall reside at the Oklahoma Halfway House, Oklahoma City, Oklahoma, for a period of six (6) months, and abide by all rules of that facility. He is to report by 9:00 a.m. on Monday, October 29, 1990. A \$125,000 fine is also imposed, and shall be paid as directed by the probation office.

In addition to any conditions of probation imposed above, IT IS ORDERED that the conditions of probation set out on the reverse of this judgment are imposed.

CONDITIONS OF PROBATION

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- (2) associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- (4) not leave the judicial district without permission of the probation officer;
- (5) notify your probation officer immediately of any changes in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

The court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ 50.00 pursuant to Title 18, U.S.C. Section 3013 for count(s) One of the Information as follows:

CT.1 - \$50

IT IS FURTHER ORDERED THAT ~~counts~~ the Indictment and Superseding Indictment are DISMISSED on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall pay to the United States attorney for this district any amount imposed as a fine, restitution or special assessment. The defendant shall pay to the clerk of the court any amount imposed as a cost of prosecution. Until all fines, restitution, special assessments and costs are fully paid, the defendant shall immediately notify the United States attorney for this district of any change in name and address.

IT IS FURTHER ORDERED that the clerk of the court deliver a certified copy of this judgment to the United States marshal of this district.

☐ The Court orders commitment to the custody of the Attorney General and recommends:

October 23, 1990

Date of Imposition of Sentence


Signature of Judicial Officer

The Honorable Thomas R. Brett

Name and Title of Judicial Officer U.S. District Judge

October 24, 1990

Date

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____
Date

_____, the institution designated by the Attorney General, with a certified copy of this Judgment in a Criminal Case.

United States Marshal

By _____
Deputy Marshal

~~FILED~~**United States District Court** OCT 29 1990

NORTHERN

District of OKLAHOMA

Jack C. Silver, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

V.

Harold Wolfe Buchholz

(Name of Defendant)

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Case Number: 90-CR-081-001-B

Richard D. Amatucci

Defendant's Attorney

THE DEFENDANT:

- ☒ pleaded guilty to count(s) One and Two of the Indictment
- ☐ was found guilty on count(s) _____ after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
Ct.I - 18:922(a)(6)	False Statement to Licensed Firearm's Dealer	11-23-89	Ct.I
Ct.II- 18:922(g)(1)	Possession of Firearm After Former Conviction of Felony	12-6-89	Ct.II

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984..

- ☐ The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).
- ☐ Count(s) _____ (is)(are) dismissed on the motion of the United States.
- ☒ It is ordered that the defendant shall pay a special assessment of \$ 100, for count(s) One and Two, which shall be due ☒ immediately ☐ as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 492-28-0007Defendant's Date of Birth: 12-20-27

Defendant's Mailing Address:

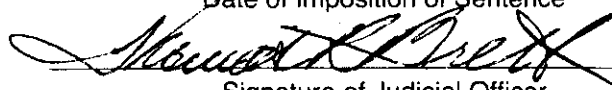
217 South ReganHominy, Oklahoma 74035

Defendant's Residence Address:

Same as mailing.

October 25, 1990

Date of Imposition of Sentence



Signature of Judicial Officer

The Honorable Thomas R. Brett
U.S. District Judge

Name & Title of Judicial Officer

October 25, 1990

Date

Defendant: Harold Wolfe Buchholz
Case Number: 90-CR-081-001-B

Judgment—Page 2 of 5

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 10 months

Count I - 10 months

Count II- 10 months to run concurrently with Count One.

☐ The court makes the following recommendations to the Bureau of Prisons:

- ☐ The defendant is remanded to the custody of the United States marshal.
- ☐ The defendant shall surrender to the United States marshal for this district,

- ☐ at _____ a.m.
- ☐ at _____ p.m. on _____
- ☐ as notified by the United States marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons,

- ☐ before 2 p.m. on _____
- ☒ as notified by the United States marshal. (Defendant to report to U.S. Marshal on 11-13-90 for designation of institution to serve his prison sentence.)
- ☐ as notified by the probation office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____ at _____

_____, with a certified copy of this judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: Harold Wolfe Buchholz
Case Number: 90-CR-081-001-B

Judgment—Page 3 of 5**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of _____

Three (3) Years to follow imprisonment.

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- ☒ The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- ☐ The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- ☒ The defendant shall not possess a firearm or destructive device.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) You shall submit to urinalysis as directed by the U.S. Probation Office.

Defendant: Harold Wolfe Buchholz
Case Number: 90-CR-081-001-B

Judgment—Page 4 of 5

FINE

The defendant shall pay a fine of \$ 3,479.76. The fine includes any costs of incarceration and/or supervision. (\$96.66 per month for cost of supervision)

☒ This amount is the total of the fines imposed on individual counts, as follows:

Ct.I \$3,479.76, to be paid at the rate of \$96.66 per month.

☐ The court has determined that the defendant does not have the ability to pay interest. It is ordered that:

- ☐ The interest requirement is waived.
- ☐ The interest requirement is modified as follows:

This fine plus any interest required shall be paid:

- ☐ in full immediately.
- ☐ in full not later than _____.
- ☐ in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
- ☒ in installments according to the following schedule of payments:

At a rate of \$96.66 per month for the duration of the period of Supervised Release.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: Harold Wolfe Buchholz
Case Number: 90-CR-081-001-B

Judgment—Page 5 of 5**STATEMENT OF REASONS**

☐ The court adopts the factual findings and guideline application in the presentence report.

OR

☒ The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):
The defendant is given the two (2) point reduction for Acceptance of Responsibility.

Guideline Range Determined by the Court:Total Offense Level: 12Criminal History Category: IImprisonment Range: 10 to 16 monthsSupervised Release Range: 2 to 3 yearsFine Range: \$ 3,000 to \$ 30,000

☐ Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ _____

☐ Full restitution is not ordered for the following reason(s):

☒ The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

☐ The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

☐ upon motion of the government, as a result of defendant's substantial assistance.

☐ for the following reason(s):

entered

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

OCT 23 1990

JACK C. SILVER, CLERK
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
FRANCISCO BEJARANO-ALFONSO,)
)
Defendant.)


No. 88-CR-99-C

ORDER

Before the Court is the motion for sentence of the defendant to be under the "old law". Defendant requests that this Court declare the Sentencing Guidelines unconstitutional on due process grounds. He relies upon United States v. Davis, 715 F.Supp. 1473 (C.D.Cal. 1989). However, the reasoning of that decision has been rejected by the Tenth Circuit Court of Appeals. See United States v. Frederick, 897 F.2d 490 (10th Cir.), cert. denied, ____ S.Ct. ____ (October 1, 1990).

It is the Order of the Court that the motion for sentence of the defendant under the old law is hereby DENIED.

IT IS SO ORDERED this 23 day of October, 1990.


H. DALE COOK
Chief Judge, U. S. District Court

United States District Court

NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE

Ronald Joe Latimer
Rt. 1, Box 210
Eureka Springs, Arkansas 72632

Case Number: 90-CR-42-C

OCT 23 1990

Jack C. Silver, Clerk
U.S. DISTRICT COURT

(Name and Address of Defendant)

Stephen J. Gruebel

Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

☒ guilty ☐ nolo contendere] as to count(s) One (I) of the Superseding Information, and
☐ not guilty as to count(s) _____

THERE WAS A:

☒ finding ☐ verdict] of guilty as to count(s) One (I) of the Superseding Information.

THERE WAS A:

☐ finding ☐ verdict] of not guilty as to count(s) _____
☐ judgment of acquittal as to count(s) _____

The defendant is acquitted and discharged as to this/these count(s).

THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF:

False Statements
Title 18, United States Code, Section 1014

IT IS THE JUDGMENT OF THIS COURT THAT:

the imposition of sentence be suspended and the defendant be placed
on Probation for a period of five (5) years.

As a Special Condition of Probation the defendant shall make restitution in
the amount of \$25,000 to:

Community Federal Savings & Loan
5801 East 41st
Tulsa, OK 74135

I, the Clerk of this Court, do
hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Jack C. Silver, Clerk

By R. Miller
Deputy

In addition to any conditions of probation imposed above, IT IS ORDERED that the conditions of proba-
tion set out on the reverse of this judgment are imposed.

CONDITIONS OF PROBATION

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- (2) associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- (4) not leave the judicial district without permission of the probation officer;
- (5) notify your probation officer immediately of any changes in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

The court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ 50 pursuant to Title 18, U.S.C. Section 3013 for count(s) Superseding Information as follows:

IT IS FURTHER ORDERED THAT ~~XXXXX~~ the Indictment and Information counts are DISMISSED on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall pay to the United States attorney for this district any amount imposed as a fine, restitution or special assessment. The defendant shall pay to the clerk of the court any amount imposed as a cost of prosecution. Until all fines, restitution, special assessments and costs are fully paid, the defendant shall immediately notify the United States attorney for this district of any change in name and address.

IT IS FURTHER ORDERED that the clerk of the court deliver a certified copy of this judgment to the United States marshal of this district.

☐ The Court orders commitment to the custody of the Attorney General and recommends:

October 17, 1990

Date of Imposition of Sentence

H. Dale Cook
Signature of Judicial Officer

H. Dale Cook, Chief U. S. District Judge

Name and Title of Judicial Officer

Date

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____ Date

_____, the institution designated by the Attorney General, with a certified copy of this Judgment in a Criminal Case.

United States Marshal

By _____

Deputy Marshal

United States District Court

NORTHERN District of OKLAHOMA

UNITED STATES OF AMERICA

V.

DAREN LEWIS FORREST

(Name of Defendant)

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number: 90-CR-071-C

Sam P. Manipella

Defendant's Attorney **Jack C. Silver, Clerk**
U.S. DISTRICT COURT

FILED

OCT 23 1990

THE DEFENDANT:

☒ pleaded guilty to count(s) One & Three of the Indictment
☐ was found guilty on count(s) _____ after a
 plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
21:841(a)(1)	POSSESSION WITH INTENT TO DISTRIBUTE CONTROLLED SUBSTANCE	04/28/90	I
18:922(g)	POSSESSION OF FIREARM, AFCE	04/28/90	III

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).
☒ Count(s) Two of the Indictment (is)(are) dismissed on the motion of the United States.
☒ It is ordered that the defendant shall pay a special assessment of \$ 100. for count(s) I & III, which shall be due ☒ immediately ☐ as follows:
 (\$50 each Count)

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 447-78-6811Defendant's Date of Birth: 04/06/66

Defendant's Mailing Address:

10333 E. 27thTulsa, Oklahoma 74129

Defendant's Residence Address:

Same

October 16, 1990

Date of Imposition of Sentence


 Signature of Judicial Officer
H. Dale Cook, Chief
 U. S. District Judge

Name & Title of Judicial Officer

Jack C. Silver, Clerk

By 

Deputy

Date

Defendant: FORREST, Daren Lewis
Case Number: 90-CR-071-C

Judgment—Page 2 of 5

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 30 months as to Count I.
30 months as to Count III, to run concurrently with Count I.

☐ The court makes the following recommendations to the Bureau of Prisons:

☒ The defendant is remanded to the custody of the United States marshal.
☐ The defendant shall surrender to the United States marshal for this district,

☐ at _____ a.m.
_____ p.m. on _____
☐ as notified by the United States marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons,
☐ before 2 p.m. on _____
☐ as notified by the United States marshal.
☐ as notified by the probation office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____ at

_____, with a certified copy of this judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: FORREST, Daren Lewis
 Case Number: 90-CR-071-C

Judgment—Page 3 of 5

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of _____
5 years as to Count I. 3 years as to Count III, to run concurrently
with Count I.

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

☒ The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

☐ The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.

☒ The defendant shall not possess a firearm or destructive device.

The defendant shall participate in a program approved by the U. S. Probation Office for the treatment of substance abuse.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) defendant shall submit to urinalysis as directed by the U. S. Probation Office.
- 15) Defendant shall participate in a program approved by the U. S. Probation Office for the treatment of substance abuse.

Defendant: FORREST, Daren Lewis
Case Number: 90-CR-071-C

Judgment—Page 4 of 5

FINE

The defendant shall pay a fine of \$ 3,000. The fine includes any costs of incarceration and/or supervision.

☒ This amount is the total of the fines imposed on individual counts, as follows:

Count I - \$3,000

☐ The court has determined that the defendant does not have the ability to pay interest. It is ordered that:

- ☐ The interest requirement is waived.
- ☐ The interest requirement is modified as follows:

This fine plus any interest required shall be paid:

- ☐ in full immediately.
- ☐ in full not later than _____.
- ☐ in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.

☒ in installments according to the following schedule of payments: **as directed by the U. S. Probation Office.**

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: FORREST, Daren Lewis
Case Number: 90-CR-071-C

Judgment—Page 5 of 5**STATEMENT OF REASONS**

☒ The court adopts the factual findings and guideline application in the presentence report.

OR

☐ The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:Total Offense Level: 12Criminal History Category: VImprisonment Range: 27 to 33 monthsSupervised Release Range: 3 to 5 yearsFine Range: \$ 3,000 to \$ 1,000,000

☐ Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ _____

☐ Full restitution is not ordered for the following reason(s):

☒ The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

☐ The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

☐ upon motion of the government, as a result of defendant's substantial assistance.

☐ for the following reason(s):

United States District Court

Northern

DISTRICT OF

Oklahoma

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE

ROBYN LEA PARSONS
10714 E. 16th Pl.
Tulsa, Oklahoma

Case Number: 90-CR-070-C

(Name and Address of Defendant)

Mr. Richard Couch, Appointed
Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

☒ guilty ☐ nolo contendere] as to count(s) One of the Indictment, and
☐ not guilty as to count(s) _____

FILED

THERE WAS A:

☒ finding ☐ verdict] of guilty as to count(s) One of the Indictment

OCT 19 1990

THERE WAS A:

☐ finding ☐ verdict] of not guilty as to count(s) N/A

Jack C. Silver, Clerk
U.S. DISTRICT COURT

☐ judgment of acquittal as to count(s) _____

The defendant is acquitted and discharged as to this/these count(s).

THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF:

False Statement to Government Agency,
Title 18, United States Code, Section 1001, a Class D Felony

SILVER, CLERK
Deputy Clerk

IT IS THE JUDGMENT OF THIS COURT THAT:

The imposition of sentence is suspended and the defendant is placed on probation for a period of five (5) years. In addition, the defendant is to pay restitution in the amount of \$29,502.00 to the Social Security Administration, to be paid as directed by the U.S. Probation Office. The defendant is to successfully participate in approved substance abuse counseling and psychological counseling as directed by the U.S. Probation Office.

United States District Court) ss
Northern District of Oklahoma)
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Jack C. Silver, Clerk

By R. Miller
Deputy

In addition to any conditions of probation imposed above, IT IS ORDERED that the conditions of probation set out on the reverse of this judgment are imposed.

CONDITIONS OF PROBATION

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- (2) associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- (4) not leave the judicial district without permission of the probation officer;
- (5) notify your probation officer immediately of any changes in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

The court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ 50.00 pursuant to Title 18, U.S.C. Section 3013 for count(s) One of the Indictment as follows:

Count One of the Indictment - \$50.00

IT IS FURTHER ORDERED THAT counts Three (3) through Forty-Four (44) are DISMISSED on the motion of the United States.

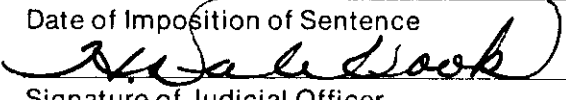
IT IS FURTHER ORDERED that the defendant shall pay to the United States attorney for this district any amount imposed as a fine, restitution or special assessment. The defendant shall pay to the clerk of the court any amount imposed as a cost of prosecution. Until all fines, restitution, special assessments and costs are fully paid, the defendant shall immediately notify the United States attorney for this district of any change in name and address.

IT IS FURTHER ORDERED that the clerk of the court deliver a certified copy of this judgment to the United States marshal of this district.

☐ The Court orders commitment to the custody of the Attorney General and recommends:

October 16, 1990

Date of Imposition of Sentence


Signature of Judicial Officer
The Honorable H. Dale Cook

Chief U.S. District Judge
Name and Title of Judicial Officer

Date

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____
Date

_____, the institution designated by the Attorney General, with a certified copy of this Judgment in a Criminal Case.

United States Marshal

By _____
Deputy Marshal

Entered

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

OCT 16 1989

JACK C. SILVER, CLERK
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PRENTICE ANTWINE CRAWFORD,

Defendant.

No. 88-CR-108-C

ORDER

In an opinion filed with this Court on August 16, 1989, the Tenth Circuit Court of Appeals directed that an inquiry be made into whether defendant's late filing of his notice of appeal was attributed to excusable neglect.

The Court has received defendant's statement for late filing, a response from his former retained counsel Mark Lyons, an affidavit from his former co-counsel in his murder trial Tony Jack Lyons, and Government's response.

Defendant Prentice Antwine Crawford was convicted by a jury on February 23, 1989 and sentenced on April 20, 1989. On May 5, 1989, defendant filed a notice of appeal five days out of time.

Rule 4(b) F.R.App.P. states that notice of appeal in a criminal case must be filed within ten days of the judgment. The rule further provides "upon a showing of excusable neglect the district court may, before or after the time has expired, with or without motion and notice, extend the time for filing a notice of appeal for a period not to exceed 30 days from the expiration of

the time otherwise prescribed from this subdivision." The Tenth Circuit has construed Rule 4(b) to permit a defendant who files his notice of appeal beyond ten days but within thirty days thereafter, to have the opportunity to seek relief by a showing of "excusable neglect". United States v. Lucas, 597 F.2d 243 (10th Cir. 1979). The term excusable neglect is not defined in the rule but depends on the factual circumstances, and the question is to be determined by the "common-sense meaning of the two simple words applied to the facts which are developed." Gooch v. Skelly Oil Company, 493 F.2d 366 (10th Cir. 1974) cert. denied, 419 U.S. 997.

Defendant in his statement indicates his retained attorneys were adamant in their refusal to file his appeal and implied to him that the Court would impose a harsher sentence if Crawford challenged the verdict.

The response of his retained counsel Mark Lyons is to the contrary. He states that defendant was fully apprised of his right to appeal and an assessment of potential results.

The affidavit submitted by Tony Jack Lyons attests that he discussed with Crawford the advisability, the procedure involved, and the costs, practicalities, and probable outcome of any appeal. Mr. Lyons advised Crawford that in his opinion an appeal would be "useless, futile, counterproductive, impractical and essentially frivolous", since it was Mr. Lyons' opinion that Crawford, in his testimony before the Court in the prior murder case, reflected his guilt upon the crimes charged in the instant case. The Court was also supplied with a letter signed by defendant in which he admits

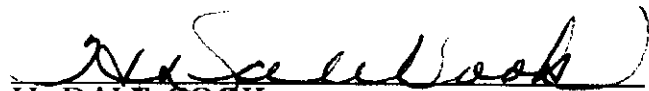
being informed of his right to appeal and potential consequences. The letter states defendant declined to prosecute the appeal.

The Court accepts these statements at face value. Defendant concedes that his right to appeal and potential consequences were discussed with him. Defendant concludes that he felt pressured into foregoing his right. The Court finds no factual support for this conclusion, nor does the record support such a conclusion.

Not only did defendant's counsel discuss with him the right to appeal, the Court, at sentencing, advised defendant of his rights and the time limit imposed by the federal rules. Additionally, the Court advised defendant that, if he was without funds to hire an attorney, he had the right to appeal without payment of cost.

Accordingly, the Court finds that defendant has failed to meet his burden of showing excusable neglect, and therefore denies permitting the filing of notice of appeal out of time.

IT IS SO ORDERED this 16th day of October, 1990.


H. DALE COOK
Chief Judge, U. S. District Court

FILED**United States District Court** OCT 12 1990

NORTHERN

District of

OKLAHOMA

Jack C. Silver, Clerk
U. S. DISTRICT COURT

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

SHERYL JEAN EMBRY

Case Number: 90-CR-73-01-W

(Name of Defendant)

STEVE GREUBEL

Defendant's Attorney

THE DEFENDANT:

- ☒ pleaded guilty to count(s) One of the Information
- ☐ was found guilty on count(s) _____ after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:510(a)(1)(C)	Forgery of a U.S. Treasury Check	August 3, 1989	One (1)

The defendant is sentenced as provided in pages 2 through 3 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) _____, and is discharged as to such count(s).
- ☐ Count(s) _____ (is)(are) dismissed on the motion of the United States.
- ☒ It is ordered that the defendant shall pay a special assessment of \$ 25.00, for count(s) One of the Information, which shall be due ☒ immediately ☐ as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 443-62-1906Defendant's Date of Birth: August 14, 1959

Defendant's Mailing Address:

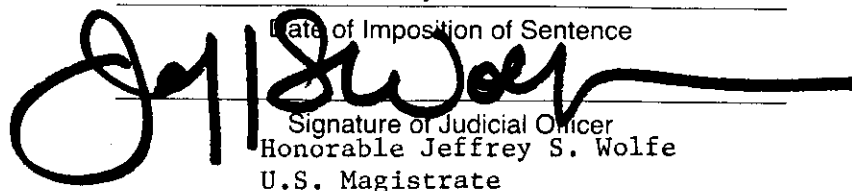
720 Georgetown
Muskogee, Oklahoma 74401

Defendant's Residence Address:

720 Georgetown
Muskogee, Oklahoma 74401

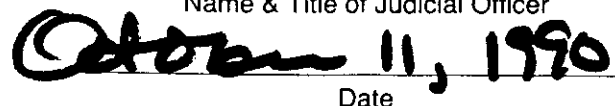
October 10, 1990

Date of Imposition of Sentence



Signature of Judicial Officer
Honorable Jeffrey S. Wolfe
U.S. Magistrate

Name & Title of Judicial Officer



October 11, 1990
Date

Defendant: Sheryl Jean Embry
Case Number: 90-CR-73-01-W

Judgment—Page 2 of 3**PROBATION**

The defendant is hereby placed on probation for a term of One (1) Year

While on probation, the defendant shall not commit another Federal, state, or local crime, shall not illegally possess a controlled substance, and shall not possess a firearm or destructive device. The defendant also shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant pay any such fine or restitution. The defendant shall comply with the following additional conditions:

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) The defendant shall not possess a firearm or destructive device. Probation must be revoked for possession of a firearm.
- 15) You shall submit to urinalysis as directed by the Probation Office.

Defendant: Sheryl Jean Embry
Case Number: 90-CR-73-01-W

Judgment—Page 3 of 3

STATEMENT OF REASONS

☒ The court adopts the factual findings and guideline application in the presentence report.

OR

☐ The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:

Total Offense Level: 4

Criminal History Category: I

Imprisonment Range: 0 to 4 months

Supervised Release Range: to 1 year

Fine Range: \$ 250. to \$ 5,000.

☒ Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ N/A

☐ Full restitution is not ordered for the following reason(s):

☒ The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

☐ The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

☐ upon motion of the government, as a result of defendant's substantial assistance.

☐ for the following reason(s):

United States District Court

NORTHERN

DISTRICT OF

OKLAHOMA

FILED

OCT 11 1990

**Jack C. Silver, Clerk
U. S. DISTRICT COURT**

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE

KEVIN DUFFY O'BRIEN
905 Heather Lane
Hoffman Estates, Illinois 60195

Case Number: 90-CR-65-01-B

(Name and Address of Defendant)

Randy Morely

Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

☒ guilty ☐ nolo contendere] as to count(s) One (I) of the Information, and
☐ not guilty as to count(s) _____.

THERE WAS A:

☒ finding ☐ verdict] of guilty as to count(s) One (I) of the Information.

THERE WAS A:

☐ finding ☐ verdict] of not guilty as to count(s) _____.
☐ judgment of acquittal as to count(s) _____.

The defendant is acquitted and discharged as to this/these count(s).

THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF:

Accessory After the Fact to Conspiracy to Defraud the Internal Revenue Service
in violation of Title 18, U. S. C., Section 3

IT IS THE JUDGMENT OF THIS COURT THAT:

the imposition of sentence be suspended and the defendant placed on probation for a period of five (5) years.

It is also ordered that the defendant pay a fine in the amount of \$10,000 during the course of his probationary sentence at a rate to be determined by the U. S. Probation Office. A \$50 Special Monetary Assessment is also imposed.

In addition to any conditions of probation imposed above, IT IS ORDERED that the conditions of probation set out on the reverse of this judgment are imposed.

CONDITIONS OF PROBATION

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- (2) associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- (4) not leave the judicial district without permission of the probation officer;
- (5) notify your probation officer immediately of any changes in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

The court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ 50 pursuant to Title 18, U.S.C. Section 3013 for count ~~(8)~~ One (I) of the Information _____ as follows:

Count I: \$50

IT IS FURTHER ORDERED THAT counts N/A are DISMISSED on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall pay to the United States attorney for this district any amount imposed as a fine, restitution or special assessment. The defendant shall pay to the clerk of the court any amount imposed as a cost of prosecution. Until all fines, restitution, special assessments and costs are fully paid, the defendant shall immediately notify the United States attorney for this district of any change in name and address.

IT IS FURTHER ORDERED that the clerk of the court deliver a certified copy of this judgment to the United States marshal of this district.

☐ The Court orders commitment to the custody of the Attorney General and recommends:

October 11, 1990

Date of Imposition of Sentence

Signature of Judicial Officer

Thomas R. Brett, U. S. District Judge

Name and Title of Judicial Officer

10-11-90

Date

United States District Court)
Northern District of Oklahoma) SS
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Jack C. Silver, Clerk

By [Signature]
Deputy

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____
Date

_____, the institution designated by the Attorney General, with a certified copy of this Judgment in a Criminal Case.

United States Marshal

By _____
Deputy Marshal

FILED

- United States District Court

OCT 5 1990

NORTHERN

District of OKLAHOMA

Jack C. Silver, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

V.

ANTONIO BURKHALTER

- AMENDED -
JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Case Number: 90-CR-098-001-E

(Name of Defendant)

Richard White

Defendant's Attorney

THE DEFENDANT:

- ☒ pleaded guilty to count(s) One of the Indictment
- ☐ was found guilty on count(s) _____ after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:2113(a)	Bank Robbery	02-05-90	One (1)

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984..

- ☐ The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).
- ☒ Count(s) Two of the Indictment (is)(are) dismissed on the motion of the United States.
- ☒ It is ordered that the defendant shall pay a special assessment of \$ 50, for count(s) One of the Indictment, which shall be due ☒ immediately ☐ as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

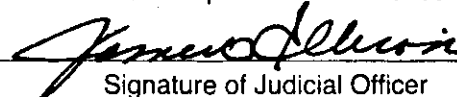
Defendant's Soc. Sec. No.: 442-60-4628Defendant's Date of Birth: May 4, 1957

Defendant's Mailing Address:

1319 East 51st Street North
Tulsa, Oklahoma 74106

 Defendant's Residence Address: _____
 I hereby certify that the foregoing is a true copy of the original on file in this Court.
September 10, 1990

Date of Imposition of Sentence



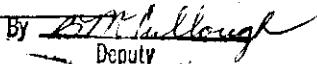
Signature of Judicial Officer

James O. Ellison, U.S. District Judge

Name & Title of Judicial Officer

Jack C. Silver, Clerk

Date

 By 
 Deputy

Defendant: BURKHALTER, Antonio
Case Number: 90-CR-098-001-E

Judgment—Page 2 of 5

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 240 months to run concurrently with the sentence imposed in 90-CR-037-001.

☐ The court makes the following recommendations to the Bureau of Prisons:

☒ The defendant is remanded to the custody of the United States marshal.

☐ The defendant shall surrender to the United States marshal for this district,

- ☐ at _____ a.m.
_____ p.m. on _____
☐ as notified by the United States marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons,

- ☐ before 2 p.m. on _____
☐ as notified by the United States marshal.
☐ as notified by the probation office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____ at _____

_____, with a certified copy of this judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: BURKHALTER, Antonio
Case Number: 90-CR-098-001-E

Judgment—Page 3 of 5**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of _____

three (3) years to run concurrently with 90-CR-037-001.

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- ☐ The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- ☐ The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- ☒ The defendant shall not possess a firearm or destructive device.

The defendant shall participate in substance abuse treatment as directed by the U. S. Probation Office.

The defendant shall pay restitution to the victim as directed by the U. S. Probation Office.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Defendant: BURKHALTER, Antonio
Case Number: 90-CR-098-001-E

Judgment—Page 4 of 5

RESTITUTION AND FORFEITURE

RESTITUTION

☐ The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Union Blvd. National Bank, Woodlawn Branch, Wichita, Kansas	\$6,382.00

Payments of restitution are to be made to:

- ☐ the United States Attorney for transfer to the payee(s).
- ☐ the payee(s).

Restitution shall be paid:

- ☐ in full immediately.
- ☐ in full not later than _____.
- ☐ in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
- ☒ in installments according to the following schedule of payments:

The defendant shall make payments to the victim while imprisoned. If the balance is not paid, payments will be a condition of Supervised Release.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

FORFEITURE

☐ The defendant is ordered to forfeit the following property to the United States:

Defendant: BURKHALTER, Antonio
Case Number: 90-CR-098-001-E

Judgment—Page 5 of 5**STATEMENT OF REASONS**

☐ The court adopts the factual findings and guideline application in the presentence report.

OR

☐ The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:Total Offense Level: 32Criminal History Category: VIImprisonment Range: 210 to 240 monthsSupervised Release Range: 2 to 3 yearsFine Range: \$ 17,500 to \$ 175,000

☐ Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ 6,382

☐ Full restitution is not ordered for the following reason(s):

☐ The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

☒ The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

Due to the nature of the crime and the defendant's propensity for violence, the sentence at the upper end of the Guidelines is appropriate.

OR

The sentence departs from the guideline range

☐ upon motion of the government, as a result of defendant's substantial assistance.

☐ for the following reason(s):

FILED

United States District Court

OCT 5 1990

NORTHERN

DISTRICT OF

OKLAHOMA

Jack C. Silver, Clerk
DISTRICT COURT

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE

Karl Everett Turner
7475 E. Admiral Pl.
Tulsa, Oklahoma 74115

Case Number: 88-CR-147-001-E

(Name and Address of Defendant)

Kevin Leitch

Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

☒ guilty ☐ nolo contendere] as to count(s) One of the Indictment, and
☐ not guilty as to count(s) _____

THERE WAS A:

☒ finding ☐ verdict] of guilty as to count(s) One of the Indictment

THERE WAS A:

☐ finding ☐ verdict] of not guilty as to count(s) _____
☐ judgment of acquittal as to count(s) _____
 The defendant is acquitted and discharged as to this/these count(s).

THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF:

Possession of a Firearm After Former Conviction of a Felony
 Title 18, United States Code, Section 922(g)(1)

IT IS THE JUDGMENT OF THIS COURT THAT: The imposition of sentence is suspended and the defendant placed on 30 months probation. As a Special Condition of probation, the defendant shall participate in substance abuse counseling and monitoring as directed by the U.S. Probation Officer.

United States District Court)
 Northern District of Oklahoma) SS

I hereby certify that the foregoing
 is a true copy of the original on file
 in this Court.

Jack C. Silver, Clerk

By B. McLaughlin
 Deputy

In addition to any conditions of probation imposed above, IT IS ORDERED that the conditions of probation set out on the reverse of this judgment are imposed.

CONDITIONS OF PROBATION

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- (2) associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- (4) not leave the judicial district without permission of the probation officer;
- (5) notify your probation officer immediately of any changes in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

The court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ 50.00 pursuant to Title 18, U.S.C. Section 3013 for count(~~X~~) One of the Indictment as follows:

Ct. One - \$50.00

IT IS FURTHER ORDERED THAT counts _____ are DISMISSED on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall pay to the United States attorney for this district any amount imposed as a fine, restitution or special assessment. The defendant shall pay to the clerk of the court any amount imposed as a cost of prosecution. Until all fines, restitution, special assessments and costs are fully paid, the defendant shall immediately notify the United States attorney for this district of any change in name and address.

IT IS FURTHER ORDERED that the clerk of the court deliver a certified copy of this judgment to the United States marshal of this district.

☐ The Court orders commitment to the custody of the Attorney General and recommends:

October 2, 1990

Date of Imposition of Sentence

Signature of Judicial Officer

James O. Ellison, U.S. District Judge

Name and Title of Judicial Officer

Date

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____ Date

_____, the institution designated by the Attorney General, with a certified copy of this Judgment in a Criminal Case.

United States Marshal

By _____
Deputy Marshal